

**HOUSE JOURNAL  
65TH LEGISLATURE  
TWENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
February 6, 2017

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Skees. Pledge of Allegiance to the Flag.

Roll Call. All members present except, Representatives Knokey, Kipp III excused. Quorum present.

**BILLS** (Ricci, Chair):

2/6/2017

Correctly printed: **HB 73, HB 147, HB 148, HB 198, HB 300, HB 316, HB 373, HB 374, HB 375, HB 376, HB 377, HB 378, HB 379, HB 380, HB 381, HB 382, HB 383, HB 385, HB 386, HB 387, HB 388, SB 33, SB 36, SB 41, SB 101.**

Correctly engrossed: **HB 96, HB 126, HB 182, HB 245, HB 256, HB 271, HB 279, HB 286, HB 305.**

Examined by the sponsor and found to be correct: **HB 120, HB 132.**

Transmitted to the Senate: **HB 148, HB 294, SB 33, SB 36, SB 101.**

**LEGISLATIVE ADMINISTRATION** (Ricci, Chair):

2/6/2017

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 5:00 p.m., Monday, February 6, 2017:

Kayne Bryant, Anaconda  
Quinton Schauer, Conrad  
Michael Hessler, Anaconda  
Molly Miltko, Missoula  
Michael McCollum, Laurel  
Kane Hicks, Billings

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, February 6, 2017:

Kierra Johnson, Great Falls  
Olivia Boysza, Butte  
Joriann Heikinen, Butte  
Kaden Sangray, Cameron  
Logan Laity, Helena  
Leah Aigner, Shepherd

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**ENERGY, TECHNOLOGY, AND FEDERAL RELATIONS** (Zolnikov, Chair): 2/3/2017  
**HB 219**, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 6.

**Strike:** "UNDER" on line 5 through "CIRCUMSTANCES" on line 6

2. Title, page 1, line 7 through line 8.

**Strike:** "THE" on line 7 through "TIMELINES" on line 8

**Insert:** "A UTILITY TO RECOVER COSTS"

3. Title, page 1, line 10.

**Strike:** "69-1-114, 69-1-402,"

**Strike:** "AN IMMEDIATE"

4. Title, page 1, line 11.

**Strike:** "DATE"

**Insert:** "DATES"

5. Page 1, line 15 through page 2, line 5.

**Strike:** section 1 in its entirety

**Insert:** "NEW SECTION. Section 1. Cost-benefit analysis. (1) Before April 1, 2018, a public utility shall:

(a) conduct a study of the costs and benefits of customer-generators as defined in 69-8-103; and

(b) submit the study to the commission for the purpose of making determinations in accordance with a public utility's general rate case pursuant to [section 2].

(2) The utility may engage independent consultants or advisory services to complete a cost-benefit study. Costs are recoverable in rates.

(3) After [the effective date of this section] the commission may establish minimum information required for inclusion in a study conducted by a public utility in accordance with subsection (1)(a)."

6. Page 2, line 8.

**Strike:** "proceeding"

**Insert:** "study"

**Strike:** "subsection (2)"

**Insert:** "subsections (2) and (4)"

7. Page 2, line 9.

**Following:** "service"

**Insert:** "as part of a public utility's general rate case"

8. Page 2, line 11.

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**Strike:** "value"

**Insert:** "utility system benefits"

**Strike:** "system"

**Insert:** "resource"

9. Page 2, line 14.

**Following:** "rates"

**Insert:** "as part of a public utility's general rate case"

10. Page 2, line 16.

**Following:** "interest"

**Insert:** "and as part of a public utility's general rate case"

11. Page 2.

**Following:** line 16

**Insert:** "(4) If a public utility files a general rate case in accordance with Title 69, chapter 3, the general rate case must include the study required in accordance with [section 1] and be used by the commission to meet the requirements of the review of classifications of service required in this section."

12. Page 2, line 29 through page 3, line 22.

**Strike:** section 4 through section 5 in their entirety

**Renumber:** subsequent sections

13. Page 3, line 29.

**Following:** "structure"

**Insert:** "or a structure appropriate to customer-generators"

14. Page 4, line 16 through line 17.

**Strike:** "a minimum" on line 16 through "class" on line 17

**Insert:** "an appropriate rate pursuant to 69-3-306"

15. Page 5, line 4.

**Strike:** "for"

**Insert:** "at"

**Strike:** "customer charges"

**Insert:** "rate pursuant to 69-3-306"

16. Page 5, line 8.

**Strike:** "for"

**Insert:** "at"

**Strike:** "customer charges"

**Insert:** "rate pursuant to 69-3-306"

17. Page 5, line 20.

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**Strike:** section 10 in its entirety

**Insert:** "NEW SECTION. **Section 8. Effective date -- contingency.** (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2)(a) [Sections 5 and 6] are effective on the date that the public service commission issues an order making a determination that customer-generators are being served under a separate classification of service in accordance with [section 2].

(b) The public service commission shall provide a copy of the order to the code commissioner within 10 days of issuing the order."

And, as amended, do pass. Report adopted.

**HB 297**, introduced bill, be amended as follows:

1. Page 1, line 13.

**Strike:** "on or after January 1, 2017,"

2. Page 1, line 26.

**Following:** "line"

**Insert:** "on or after January 1, 2017"

And, as amended, do pass. Report adopted.

**SJR 2**, be concurred in. Report adopted.

**HUMAN SERVICES** (Wagoner, Chair):

2/3/2017

**HB 173**, introduced bill, be amended as follows:

1. Page 2, line 22.

**Following:** "no later than"

**Insert:** "30 days after"

2. Page 2, line 23.

**Following:** "41-3-438"

**Insert:** ", except for good cause shown"

3. Page 3, line 23.

**Strike:** "30"

**Insert:** "45"

4. Page 3, line 24.

**Strike:** "filed"

**Insert:** "served on the parent or parents, except for good cause shown"

And, as amended, do pass. Report adopted.

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**HB 195**, do pass. Report adopted.

**HB 201**, do pass. Report adopted.

**HB 257**, do pass. Report adopted.

**TAXATION** (Essmann, Chair):

2/3/2017

**HB 187**, introduced bill, be amended as follows:

1. Page 1, line 16 through line 17.

**Strike:** subsection (3) in its entirety

**Insert:** "(3) A credit of up to \$75,000 may be claimed in a year. If the credit calculated as provided in subsection (2) exceeds \$75,000, the unused portion may be carried forward to a subsequent tax year but the total credit claimed in all years may not exceed \$750,000."

2. Page 1, line 27.

**Following:** line 26

**Insert:** "(a) "Principal" or "officer" means an employee of a business who holds a management-level position."

**Renumber:** subsequent subsections

3. Page 2, line 3 through line 4.

**Following:** "manufacturing," on line 3

**Insert:** "photonics,"

**Strike:** "or a similar field"

4. Page 2, line 10.

**Strike:** "domiciled in"

**Insert:** "that conducts a substantial amount of its business from"

5. Page 2, line 11.

**Following:** "with"

**Insert:** "a minimum of three employees and"

6. Page 2, line 12.

**Following:** "with"

**Insert:** "at least"

**Strike:** "and"

7. Page 2, line 17.

**Strike:** "."

**Insert:** "; and"

8. Page 2, line 18.

**Following:** line 17

**Insert:** "(F) that uses the investments provided for in this section to perform daily functions of the business, including but not limited to expanding office or manufacturing facilities, buying

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equipment, and hiring employees, or to qualify for loans from a financial institution."

9. Page 2, line 18.

**Strike:** "(8)(c)(i)(A)"

**Insert:** "(8)(d)(i)(A)"

10. Page 2, line 20.

**Strike:** "hospitality, transportation,"

And, as amended, do pass. Report adopted.

**HB 226**, do pass. Report adopted.

**SB 10**, be concurred in. Report adopted.

**SB 53**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 2/2/2017  
**SB 45**, introduced by MacDonald  
**SB 63**, introduced by Wolken

**HB 1** - The Senate failed to concur in Governor's amendments to **HB 1**. 2/3/2017

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 384**, introduced by A. Knudsen, A. Doane, T. Facey, S. Hinebauch, C. Knudsen, M. Lang, R. Osmundson, A. Redfield, B. Smith, S. Staffanson, G. Vance, referred to Energy, Technology, and Federal Relations.

**HB 389**, introduced by K. Wagoner, referred to Human Services.

**HB 390**, introduced by D. Jones, R. Cook, J. Essmann, T. Gauthier, L. Jones, B. Tschida, P. Webb, referred to Education.

**HB 391**, introduced by T. Jacobson, K. Abbott, F. Anderson, J. Bachmeier, Z. Brown, R. Cook, V. Court, A. Curtis, G. Custer, M. Dunwell, D. Fern, J. Fleming, M. Funk, F. Garner, E. Greef, J. Hamilton, B. Hamlett, A. Hertz, J. Keane, K. Kelker, J. Knokey, D. Loge, R. Lynch, N. McConnell, S. Morigeau, A. Olsen, J. Patelis, Z. Perry, G. Pierson, J. Pomnichowski, J. Price, V. Ricci, C. Schreiner, B. Smith, J. Trebas, B. Tschida, P. Webb, S. Webber, T. Welch, K. White, J. Windy Boy, referred to Taxation.

**HB 392**, introduced by J. Eck, referred to Business and Labor.

**HB 393**, introduced by D. Zolnikov, E. Buttrey, A. Curtis, T. Facey, V. Ricci, C. Schreiner, J. Small, F. Smith, J. Trebas, B. Usher, referred to Business and Labor.

**HB 394**, introduced by W. Curdy, D. Barrett, B. Bennett, L. Bishop, M. Caferro, J. Gross, D. Hayman, M. MacDonald, E. McClafferty, M. McNally, J. Price, D. Sands, B. Smith, K. Swanson, S. Webber, C. Wolken, referred to Judiciary.

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**HB 395**, introduced by T. Woods, J. Essmann, referred to Human Services.

**HB 396**, introduced by B. Grubbs, referred to Taxation.

**HB 397**, introduced by G. Custer, referred to State Administration.

**HB 398**, introduced by D. Zolnikov, J. Windy Boy, referred to Judiciary.

**HB 399**, introduced by D. Zolnikov, referred to Judiciary.

**HB 400**, introduced by G. Hertz, E. Buttrey, A. Curtis, C. Smith, T. Woods, referred to Human Services.

**HB 401**, introduced by D. Skees, J. O'Hara, B. Tschida, K. Wagoner, referred to State Administration.

**HB 402**, introduced by J. Essmann, referred to Business and Labor.

**HB 403**, introduced by A. Hertz, M. Hopkins, referred to Taxation.

The following Senate bills were read first time, and referred to committees:

**SB 45**, introduced by M. MacDonald (by request of the Supreme Court), referred to Judiciary.

**SB 63**, introduced by C. Wolken (by request of the Commission on Sentencing), referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Ehli moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative C. Knudsen in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 95** - Representative Jacobson moved **HB 95**, second reading copy, be amended as follows:

1. Page 2, line 2.

**Following:** ";

**Strike:** "and"

2. Page 2.

**Following:** line 2

**Insert:** "(j) hold all state-approved facilities, programs, and providers to uniform standards as established by the department by rule; and"

**Renumber:** subsequent subsection

3. Page 3, line 4 through line 5.

**Strike:** "may," on line 4 through "required to," on line 5

**Insert:** "shall"

Amendment adopted as follows:

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Yeas: Abbott, Anderson, Bachmeier, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Ballance, Mandeville, Manzella, Noland, Regier, Rosendale, Usher.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 95** - Representative Pierson moved **HB 95** do pass as amended. Motion carried as follows:

Yeas: Abbott, Bachmeier, Ballance, Bennett, Bishop, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Greef, Grubbs, Gunderson, Hamilton, Harris, Hayman, A Hertz, Hill-Smith, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, Olsen, Patelis, Peppers, Perry, Pierson, Redfield, Regier, Rosendale, Ryan, Sales, Schreiner, Shaw, Staffanson, Stewart-Per, Swanson, Trebas, Vinton, Webb, Webber, Welch, White, Windy Boy, Woods.

Total 73

Nays: Anderson, Bartel, Beard, Berglee, Brodehl, B. Brown, Glimm, Hamlett, G Hertz, Holmlund, Hopkins, Jacobson, C Knudsen, Lavin, Lenz, Loge, Mortensen, O'Hara, Price, Ricci, Skees, Smith, Tschida, Usher, Wagoner, Zolnikov, Mr. Speaker.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**HB 99** - Representative Z. Brown moved **HB 99** do pass. Motion carried as follows:

Yeas: Abbott, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cuffe, Curdy, Curtis, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galloway, Galt, Glimm, Greef, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, Olsen, Patelis, Peppers, Perry, Price, Regier, Ricci, Rosendale, Ryan, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Anderson, Cook, Court, Custer, Flynn, Garner, Grubbs, Jones, O'Hara, Pierson, Redfield, Sales, Usher, Vinton, Wagoner.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 110** - Representative Flynn moved **HB 110**, second reading copy, be amended as follows:

1. Title, line 7.

**Strike:** "ELIMINATING CERTAIN PROCESSING FEES;"

2. Title, line 8 through line 9.

**Following:** "AND" on line 8

**Strike:** "REPEALING" on line 8 through "MCA.;"

3. Page 3, line 25 through line 27.

**Strike:** "FOLLOWING FILING" on line 25

**Following:** "FEES" on line 25

**Strike:** ":" through "\$100" on line 27

**Insert:** "pursuant to 85-2-225"

4. Page 11, line 18 through line 20.

**Strike:** section 8 in its entirety

**Renumber:** subsequent section

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop,

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Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

**HB 110** - Representative Hamlett moved **HB 110** do pass as amended. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, C Knudsen, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov.

Total 89

Nays: Berglee, Brodehl, Ehli, Galt, G Hertz, Knokey, Lavin, Regier, Skees, Wagoner, Mr. Speaker.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 137** - Representative Funk moved **HB 137** do pass. Motion carried as follows:

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Yeas: Abbott, Anderson, Bachmeier, Bartel, Beard, Bennett, Berglee, Bishop, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galt, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Ricci, Rosendale, Ryan, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Vinton, Wagoner, Webb, Webber, White, Windy Boy, Woods, Mr. Speaker.

Total 80

Nays: Ballance, Brodehl, B. Brown, Doane, Flynn, Galloway, Garner, Glimm, Hopkins, Jones, Mandeville, Mortensen, Patelis, Regier, Sales, Staffanson, Tschida, Usher, Welch, Zolnikov.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 144** - Representative Z. Brown moved **HB 144** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 87

Nays: Berglee, Brodehl, B. Brown, Cuffe, Doane, Galloway, Hopkins, Mandeville, Manzella, Mortensen, Skees, White, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**HB 145** - Representative Z. Brown moved **HB 145** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Hopkins, Redfield, White.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 163** - Representative Custer moved **HB 163** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: B. Brown, Manzella.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**HB 213** - Representative Essmann moved **HB 213** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Keane.

Total 1

Excused: None.

Total 0

Absent or not voting: Gunderson.

Total 1

**HB 248** - Representative Dudik moved **HB 248** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**HB 276** - Representative Greef moved **HB 276** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 96

Nays: Ballance, Burnett, Rosendale, Usher.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 300** - Representative A. Hertz moved **HB 300** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: Galt, Hamlett, Kipp III, Stewart-Per.  
Total 4

Excused: None.  
Total 0

Absent or not voting: Morigeau.  
Total 1

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**HB 304** - Representative Cook moved **HB 304** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 307** - Representative Kelker moved **HB 307** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr.

Speaker.

Total 95

Nays: Beard, Flynn, Hayman, Skees, Wagoner.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Majority Leader Ehli moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair C. Knudsen moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov.

Total 96

Nays: C Knudsen.

Total 1

Excused: None.

Total 0

Absent or not voting: Greef, Knokey, Mr. Speaker.

Total 3

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 122** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Berglee, Doane, Lynch, Mortensen, Usher.

Total 5

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Excused: None.

Total 0

Absent or not voting: Knokey.

Total 1

**HB 148** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, C Knudsen, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Lavin.

Total 1

Excused: None.

Total 0

Absent or not voting: Knokey.

Total 1

**HB 294** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Webber, Windy Boy, Woods.

Total 52

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Flynn, Galloway, Galt, Glimm, Grubbs, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Sales, Skees, Staffanson, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 47

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Excused: None.

Total 0

Absent or not voting: Knokey.

Total 1

**SB 33** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Cook.

Total 1

Excused: None.

Total 0

Absent or not voting: Knokey.

Total 1

**SB 36** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Beard, Bennett, Berglee, Bishop, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galloway, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Usher, Vinton, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: Ballance, Bartel, Brodehl, B. Brown, Flynn, Galt, Hopkins, C Knudsen, Lavin, Rosendale, Skees, Staffanson, Tschida, Wagoner, White.

Total 15

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Excused: None.

Total 0

Absent or not voting: Knokey.

Total 1

**SB 101** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Knokey.

Total 1

**MOTIONS**

Representative Ehli moved to re-refer **HB 110** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 137** to the Appropriations Committee. Without objection, so ordered.

Representative Staffanson moved to change his vote on **HB 300** from No to Yes. Without objection, so ordered.

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**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Tuesday, February 7, 2017.  
Motion carried.

House adjourned at 2:43 p.m.

LINDSEY VROEGINDEWEY  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House